



PLANNING AND ZONING COMMISSION MEMORANDUM

FROM: Planning & Zoning Department **DATE:** May 21, 2020
SUBJECT: SUP 2020-03 Public hearing and consideration of a request from Dominique Van Ausdall for a revised special use permit for a brewpub at 7924 Maplewood Avenue, being 0.8 acres described as Lots 2R and 6, Block 23, Clear View Addition.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of False Idol Brewery, Dominique Van Ausdall is requesting a revised special use permit for a brewpub on 0.8 acres located at 7924 Maplewood Avenue.

GENERAL DESCRIPTION:

The property is located on the southwest side of Maplewood Avenue just northwest of the street intersection with Boulevard 26. The site is the former location of an automobile repair shop. The building has existed on the site since at least 1979. The applicant is currently renovating and remodeling the building for a brewpub use called [False Idol Brewing](#).

In 2019, a special use permit (SUP) was approved for the site to allow the brewpub use and establish development standards for the property. The SUP was approved by City Council on April 8, 2019 (Ordinance No. 3577).

The applicant is proposing revisions to the SUP to address construction costs and financing associated with the renovation of the property. The revisions proposed by the application include the following items, which are described in detail below: (1) screening walls, (2) landscaping, (3) building design, and (4) refuse container screening.

Screening wall

Section 118-871 of the zoning ordinance establishes requirements for masonry screening walls. A six-foot tall masonry screening wall is required on the common property line between the brewpub site and the two adjacent residential properties. The site plan approved as part of the SUP specifies a textured concrete panel wall. This type of wall has been used in similar applications in the city.

The applicant proposes to modify this requirement to construct two different types of walls on the property. A concrete panel wall would be constructed adjacent to the residential property facing Maplewood Avenue. A vinyl fence would be constructed adjacent to the



property facing Birchwood Avenue. The proposed vinyl fence design is similar to the fence constructed at Pup Hub Boarding (5417 Davis Boulevard).

The Development Review Committee recommends that the concrete panel wall be constructed as required by the zoning ordinance and approved site plan. Masonry screening walls are a long-standing standard for commercial construction that protects residential property values; reduces long-term maintenance and enforcement issues; and mitigates noise, light, and odors generated by commercial properties. The fence proposed as an alternative solution was recently approved on a small redevelopment case; however, that case provided a concrete panel wall on the common residential property line. The alternative vinyl fence was provided on the side property lines only.

Landscaping

A landscape plan was approved as part of the original SUP application. The plan includes tree and shrub plantings adjacent to Maplewood Avenue, a buffer yard adjacent to the residential properties, and parking lot trees. In addition, the SUP standards allowed the applicant to defer the planting of the eight trees and associated irrigation system in the buffer yard until one year after the issuance of the certificate of occupancy of the building.

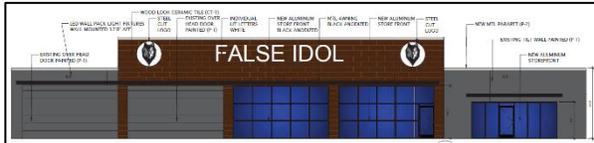
During the renovation of the property, landscaping was installed that is not consistent with the approved landscape plan. The applicant is requesting approval of revised landscape requirements for the site as described below. If approved, a revised landscape plan must be submitted.

STANDARD	APPROVED SUP	PROPOSED CONSTRUCTION
Landscape setback (Maplewood Ave)	<ul style="list-style-type: none"> ▪ Four (4) trees 	<ul style="list-style-type: none"> ▪ Three (3) trees
Buffer yard (residential adjacency)	<ul style="list-style-type: none"> ▪ Four (4) Live oak trees ▪ Three (3) Afghan pine trees 	<ul style="list-style-type: none"> ▪ Five (5) Desert willow trees
Parking lot landscaping	<ul style="list-style-type: none"> ▪ Three (3) trees 	<ul style="list-style-type: none"> ▪ Waiver of required trees

Building design

The original SUP approval included architectural design for the building exterior and removal of pavement in some areas of the property. The building design included a central parapet feature on the south elevation, which served as both a screening device for roof-mounted equipment and as an area for signage. The building design also included the replacement of two metal overhead doors with two glass overhead doors.

The applicant installed a screening device around the roof-mounted equipment and proposes to substitute this device for the central parapet feature. The applicant also is requesting to retain the existing metal overhead doors on the building. The exhibits below show the building design approved as part of the original SUP and the proposed building with screening device and existing overhead doors.



APPROVED BUILDING DESIGN



PROPOSED BUILDING DESIGN

Refuse container screening

Section 118-874 of the zoning ordinance establishes requirements for screening of refuse container enclosures. This section requires containers to be screened on three sides using brick, stone, split-face CMU block, or other masonry materials. The site plan approved as part of the SUP specifies the use of split-face CMU block painted to match the building.

The applicant proposes to modify this requirement to use a smooth-face CMU block for the refuse container screen.

Timing of improvements

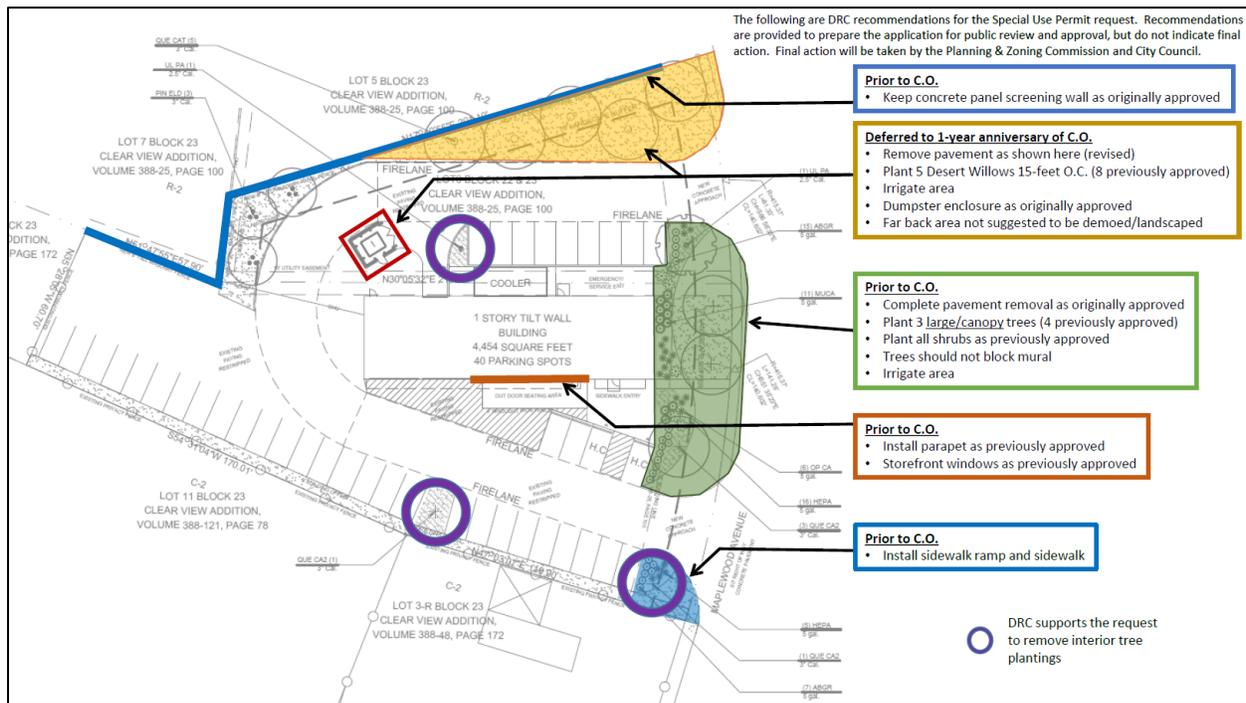
The original SUP approval allowed for a one-year deferral to complete several site improvements including the landscaping and irrigation in the buffer yard and the construction of the refuse container screen. The applicant is proposing modifications to the timing for completion of several improvements. Based on Development Review Committee (DRC) discussions with the applicant, the following table summarizes the applicant proposal on the timing for completion of the building and site improvements.

STANDARD	APPLICANT PROPOSAL
<p>Landscape setback (Maplewood Ave)</p>	<p><u>Prior to Certificate of Occupancy</u></p> <ul style="list-style-type: none"> ▪ Plant one (1) tree in setback ▪ Plant all shrubs as previously approved ▪ Submit revised landscape plan <p><u>Six (6) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> ▪ Plant one (1) tree in setback <p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> ▪ Plant one (1) tree in setback
<p>Buffer yard (residential adjacency)</p>	<p><u>Six (6) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> ▪ Install masonry screening wall adjacent to 7616 Maplewood Avenue <p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> ▪ Plant five (5) Desert willows ▪ Install irrigation ▪ Remove pavement in north area of lot ▪ Install vinyl fence adjacent to 7913 Birchwood Avenue

STANDARD	APPLICANT PROPOSAL
Pavement removal	<p><u>Six (6) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Remove pavement between southern driveway and entrance Stripe parking as originally approved <p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Remove pavement between northern driveway and adjacent residential property
Refuse container enclosure	<p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Construct refuse container enclosure as originally approved

Since the deferral to complete some site improvements was included in the original SUP approval, the DRC supports a phased approach for the revised proposal. However, the DRC recommends that the time frames be modified so that most improvements are made prior to the issuance of a certificate of occupancy, with other improvements being completed within one year of issuance. The table and graphic below summarizes the DRC recommendation.

TIMEFRAME	DRC PROPOSAL
Prior to Certificate of Occupancy	<ul style="list-style-type: none"> 6-foot masonry screening wall and all exterior building improvements, pavement removal and landscaping unless otherwise described below.
Deferred to 1-Year after C.O.	<ul style="list-style-type: none"> Pavement removal, irrigation and landscaping of west property line (yellow below) and the dumpster enclosure



Development Review Committee Recommendation for Site and Building Improvements



LAND USE PLAN: This area is designated on the Land Use Plan as Retail Commercial. This category provides sites for community and regional shopping centers, commercial establishments, and employment centers.

CURRENT ZONING: The property is currently zoned C-2 Commercial. The C-2 district is intended to provide for the development of retail and general business uses primarily serving the community and region. Uses include a wide variety of business activities and may involve limited outside storage, service, or display. The C-2 district should be located away from low and medium density residential development and should be used as a buffer between retail and industrial uses. The district is also appropriate along business corridors as indicated on the comprehensive plan.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 Commercial	Commercial	Shopping center
	R-4-D Duplex	Low Density Residential	Duplex
WEST	R-2 Single-Family Residential	Low Density Residential	Single-family residences
SOUTH	C-2 Commercial	Retail	Automobile dent repair shop
	C-1 Commercial		Insurance office Swimming pool sales and service store
EAST	C-2 Commercial	Commercial	Automobile sales lots (used)
	C-1 Commercial	Retail	

PLAT STATUS: The property is currently platted as Lots 2R and 6, Block 23, Clearview Addition.

CITY COUNCIL: The City Council will consider this request at the June 8, 2020, meeting following a recommendation by the Planning and Zoning Commission.

RECOMMENDATION:

Approve SUP 2020-03, with specific direction to the applicant on scope and timing of required site and building improvements.